

**Fresno County Department of Community Health**  
**Deficiency Status Report – Update 3**  
**January - March, 2007**

**Evaluation Date:** June 21 and 22, 2006

**State Evaluation Team**

<b>Cal/EPA Team Leader</b>	Robbie Morris
<b>DTSC Evaluator</b>	Mark Pear
<b>OES Evaluator</b>	Jack Harrah

1. **Deficiency:** Based on the Summary Reports, the CUPA has not met the mandated inspection frequencies for underground storage tank facilities.

**CUPA Corrective Action:**

- There were 436 known active underground storage tank facilities identified during the third quarter of Fiscal Year 06/07.
- The inspection goal for each quarter is 109 facilities. Please note that facilities are inspected based on their anniversary. The majority of the facilities have inspection anniversaries in the last two quarters of each fiscal year.
- There were 108 underground storage tank facilities inspected during this quarter.
- To date for the fiscal year 249 facilities have been inspected.

2. **Deficiency:** Based on the Summary Reports, the CUPA has not met the mandated inspection frequencies for CalARP facilities in the past three years.

**CUPA Corrective Action:**

- There were 96 CalARP facilities identified during the third quarter of Fiscal Year 06/07.
- The inspection goal for each quarter is 8 facilities.
- There were no CalARP facilities inspected during the third quarter.
- To date for the fiscal year 6 facilities have been inspected.

3. **Deficiency:** The CUPA is not conducting inspections with a frequency that is consistent with its Inspection and Enforcement Plan and with the inspection of other program elements.

**CUPA Corrective Action:**

- There were 1,172 known active Hazardous Waste Generator (HWG) facilities identified during the third quarter of Fiscal Year 06/07.
- The inspection goal for each quarter is 98 facilities. Please note that staff is comparing the list of Hazardous Waste Generators from the

Hazardous Waste Tracking System with the list of facilities in our database in order to find and verify new sites or previously unknown sites within our jurisdiction.

- There were 30 HWG facilities inspected during this quarter.
- To date for the fiscal year 148 facilities have been inspected.
- There were 1,985 known active hazardous materials business plan facilities identified during the second quarter of Fiscal Year 06/07.
- The inspection goal for each quarter is 165 facilities. Please note that during the Third Quarter of this Fiscal Year, staff's efforts have been prioritized to find and inspect facilities that have not submitted a Hazardous Materials Business Plan within our jurisdiction. During this quarter 134 new businesses were identified and inspected.
- There were 65 hazardous materials business plan facilities inspected during this quarter.
- To date for the fiscal year 266 facilities have been inspected.
- The underground storage tank facility information was addressed in the response to Deficiency 1 above.
- The CalARP facility information was addressed in the response to Deficiency 2 above.

4. **Deficiency:** The FY 04/05 self-audit submitted to Cal/EPA did not contain all of the required elements.

**CUPA Corrective Action:** This deficiency has been corrected.

5. **Deficiency:** No deficiency was identified.

**CUPA Corrective Action:** No corrective action required.

6. **Deficiency:** The CUPA is not fully tracking and reporting Return to Compliance on their Annual Inspection Summary Report 3.

**CUPA Corrective Action:**

- The CUPA is working to implement the use of the *Logging and Tracking Violations* feature of Envision for Windows by Decade Software Company within first quarter of Fiscal Year 07/08.

7. **Deficiency:** The CUPA is not fully tracking and reporting enforcement actions taken on their Annual Enforcement Summary Report 4 for the past three fiscal years.

**CUPA Corrective Action:**

- The CUPA is working to implement the use of the *Logging and Tracking Violations* feature of Envision for Windows by Decade Software Company within the first quarter Fiscal Year 07/08. In the interim, the CUPA continues to track all Notices of Violation, Red Tag Issuance, Administrative Enforcement Orders and any Civil and Criminal cases using a Log of Enforcement Actions.

8. **Deficiency:** The CUPA is not tracking and reporting CalARP fees on Summary Report 2.

**CUPA Corrective Action:** This deficiency has been corrected.

9. **Deficiency:** Based on the summary reports, the CUPA did not collect Cal/ARP fees during the last three fiscal years.

**CUPA Corrective Action:** This deficiency has been corrected.

10. **Deficiency:** The CUPA's Unified Program dispute resolution procedure does not address all of the elements required by the CalARP Program regulations.

**CUPA Corrective Action:** This deficiency has been corrected.

11. **Deficiency:** Based on review of facilities files, the CUPA is unable to document that all facilities that have received a notice to comply citing minor violations have returned to compliance within 30 days of notification.

**CUPA Corrective Action:** This deficiency has been corrected.

12. **Deficiency:** The CUPA did not conduct a complete oversight inspection.

**CUPA Corrective Action:** This deficiency has been corrected.

13. **Deficiency:** Based on review of complaint investigation forms, the CUPA failed to take formal enforcement for some Class I violations.

**CUPA Corrective Action:** This deficiency has been corrected.